

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

_____)	
ARROWHEAD GLOBAL SOLUTIONS,)	
INCORPORATED,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-0391
)	
DATAPATH, INCORPORATED,)	
)	
Defendant.)	
_____)	

ORDER

This matter comes before the Court on Plaintiff's Second Motion for Relief from Judgment. Plaintiff filed a previous Motion for Relief from Judgment on September 22, 2004, which was denied by the Court's Order of January 26, 2005. As Plaintiff's first Motion for Relief from Judgment and Second Motion for Relief from Judgment are identical in their allegations of fact and law, Plaintiff's Second Motion for Relief from Judgment is more properly construed as a motion to reconsider, and the Court finds that its Order of January 26, 2005, was correct for the reasons stated. In addition, this matter is currently on appeal to the Fourth Circuit Court of Appeals, therefore, no jurisdiction remains for the Court to rule on or consider Plaintiff's Second Motion for Relief from Judgment. It appearing to the Court that its Order of January 26, 2005, was correct for

the reasons stated, and that this matter is currently on appeal to the Fourth Circuit, it is hereby

ORDERED that Plaintiff's Second Motion for Relief from Judgment is DENIED.

/s/

CLAUDE M. HILTON
UNITED STATES DISTRICT JUDGE

Alexandria, Virginia
February 6, 2006